

Message Text

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ACTION HA-05

INFO OCT-01 EUR-12 EA-10 IO-13 ISO-00 SSO-00 VO-05
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FM AMCONSUL HONG KONG
TO SECSTATE WASHDC IMMEDIATE 3245
INFO USMISSION GENEVA IMMEDIATE
AMEMBASSY LONDON IMMEDIATE
AMEMBASSY BANGKOK PRIORITY
AMEMBASSY KUALA LUMPUR PRIORITY
AMEMBASSY SINGAPORE PRIOIRTY

C O N F I D E N T I A L HONG KONG 12397

C O R R E C T E D C O P Y (END OF PARA 1 & LINE 3 PARA 2)

FOR ASST. SECRETARIES HOLBROOKE AND DARIAN FROM SHOESMITH

E.O. 11652: GDS
TAGS: SREF
SUBJECT: VIETNAMESE REFUGEES ON AMERICAN MOHAWK

REF: STATE 226153

1. I CALLED ON CHIEF SECRETARY SIR DENYS ROBERTS
SEPTEMBER 7 TO URGE FAVORABLE RECONSIDERATION OF
HONG KONG GOVERNMENT'S (HKG) REFUSAL TO PERMIT AMERICAN
MOHAWK TO LAND REFUGEES HERE. DRAWING ON POINTS
OUTLINED IN RERTEL, I STATED THAT WHILE WE FULLY
UNDERSTOOD THE RELUCTANCE OF THE HKG TO DEPART FROM
THE FIRST-PORT-OF-CALL PRINCIPLE, WE WERE PERSUADED
MOST STONGLY THAT THE EXCEPTIONAL CIRCUMSTANCES
INVOLVED IN THIS CASE WARRANTED SUCH A DEPARTURE.
I STRESSED OUR CONCERN FOR THE HARSHIP TO THE
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REFUGEES AND POSSIBLE RISK TO THEIR LIVES AND THE
SAFETY OF THE SHIP WHICH WOULD RESULT IF THE SHIP
WERE FORCED TO TRANSPORT THE REFUGEES TO BANGKOK.
I ALSO EMPHASIZED OUR CONCERN FOR THE UNFORTUNATE
EFFECT AN ADVERSE HKG'S DECISION IN THIS CASE WOULD
HAVE ON THE WILLINGNESS OF OTHER SHIPS TO PICK UP
REFUGEES AT SEA. I THEN EXPLAINED THAT HAVING IN

MIND THE CONCERNS OF THE HKG AND THE EXCEPTION CIRCUMSTANCES INVOLVED IN THIS CASE, WE WERE PREPARED TO OFFER A GUARANTEE TO RESETTLE ALL 171 REFUGEES WITHIN THIRTY (30) DAYS IF NO OTHER COUNTRY WOULD TAKE THEM, STRESSING THAT THIS WOULD REQUIRE AN EXTRAORDINARY EFFORT ON OUR PART WHICH WE ARE NONTHE-LESS WILLING TO UNDERTAKE. I ALSO STATED THAT WE WOULD MAKE EVERY EFFORT TO ACCOMMODATE THE REFUGEES IN MACAU UNTIL THEY ARE RESETTLED. IN CONCLUSION, I URGED THAT THE HKG FAVORABLY RECONSIDER ITS EARLIER POSITION IN THIS MATTER ADDING THAT WE WOULD NOT REGARD SUCH A DECISION AS ESTABLISHING A PRECEDENT.

2. IN RESPONSE, SIR DENYS MADE CLEAR THAT IN REVIEWING THIS MATTER, THE HKG HAD FULLY IN MIND THE HEAVY RESPONSIBILITY THE USG HAS ASSUMED IN DEALING WITH THE VIETNAMESE REFUGEE PROBLEM. HE REMARKED RATHER CANDID THAT IF ANY OTHER GOVERNMENT WERE TO REQUEST THE HKG TO DEPART FROM ITS POLICY IT WOULD RECEIVE SHORT SHIFT. APPRECIATING THE URGENCY OF OUR CONCERN, HOWEVER, THE HKG WAS WILLING IN THIS INSTANCE TO PERMIT THE REFUGEES ON THE AMERICAN MOHAWK TO BE LANDED HERE. IN REACHING THIS DECISION, THE HKG WISHED TO STIPULATE THE FOLLOWING QUOTE CONDITIONS UNQUOTE: A) THAT THE REFUGEES BE RESETTLED WITHIN THIRTY DAYS; B) THAT THE USG UNDERTAKE TO INFORM

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CAPTAINS OF U.S.-FLAG OR-OWNED VESSELS OF HONG KONG'S QUOTE FIRST-PORT-OF-CALL UNQUOTE POLICY AND TO DISCOURAGE ANY REPETITION OF THIS TYPE OF CASE (IN AN EARLIER CONVERSATION WITH THE ACTING POLITICAL ADVISER, HE MENTIONED THAT THE HKG RECOGNIZED THAT IN CASES OF EXTREME EMERGENCY WHERE THE LIVES OF THE REFUGEES OR THE SAFETY OF THE SHIP WAS IN IMMINENT PERIL, THE HKG WOULD HAVE TO CONSIDER MAKING AN EXCEPTION TO ITS POLICY BUT IN SUCH CASES IT WOULD BE ESSENTIAL THAT THE SHIP FIRST REQUEST THE PERMISSION OF THE HKG TO LAND THE REFUGEES); C) THAT EVERY EFFORT BE MADE TO ACCOMMODATE THESE REFUGEES IN MACAU; AND, D) THAT THESE REFUGEES NOT BE RESETTLED IN THE U.S. AT THE EXPENSE OF NUMBERS WHICH MIGHT HAVE OTHERWISE BEEN AVAILABLE FOR REFUGEES NOW IN HONG KONG.

3. I AGAIN ASSURED SIR DENYS THAT EVERY EFFORT WOULD BE MADE TO ACCOMMODATE THE REFUGEES IN MACAU. I ALSO ASSURED HIM THAT THEIR RESETTLEMENT IN THE U.S. WOULD NOT DISADVANTAGE REFUGEES ALREADY IN HONG KONG. FINALLY I SAID THAT I WAS SURE THAT THE USG WOULD TAKE STEPS TO ADVISE CAPTAINS OF U.S.-FLAG OR -OWNED VESSELS

ALONG THE LINES HE HAD INDICATED SINCE THE USG
ALSO SUPPORTED THE PRINCIPLE OF FIRST-PORT-OF-CALL.
I THANKED SIR DENYS FOR HIS FAVORABLE RECONSIDERATION.

4. CARPENTER CALLED DURING AFTERNOON TO STATE THAT
AFTER VISITING CONTAINER SHIP AND CONSULTATION WITH
SAMPATKUMAR, UNHCR WAS PREPARED TO SUPPORT OUR
POSITION. AT THAT POINT, HOWEVER, IT WAS TOO LATE
TO BE USEFUL. WHEN WE SUBSEQUENTLY INFORMED HIM OF
HKG DECISION AND REQUESTED SUPPORT IN MOVING AMERICAN
MOHAWK REFUGEES TO MACAU, CARPENTER ADOPTED NEGATIVE
ATTITUDE. HE SAID HE WOULD OCONTACT HONG KONG IMMIGRATION
DEPT. TO BE INFORMED OF HKG DECISION AND SINCE THESE
REFUGEES COULD BE ACCOMMODATED IN HONG KONG, HE SAW
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NO POINT IN MOVING THEM TO MACAU. WE SHALL HAVE TO
PRESS CARPENTER HARD IF WE ARE TO MAKE GOOD ON THE
ASSURANCE WHICH I GAVE THE CHIEF SECRETARY. I WOULD
APPRECIATE IT IF U.S. MISSION GENEVA WOULD WEIGHT IN
STRONGLY WITH UNHCR IN SUPPORT OF OUR EFFORTS. WE
ARE REASONABLY CERTAIN THAT AMERICAN MOHAWK REFUGEES
CAN BE ACCOMMODATED IN MACAU AND WILL CONFIRM THIS
SOONEST.

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